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ABSTRACT

A policy panel of criminal justice experts proposed recommendations to help criminal justice systems become consistently integrated into a community response to substance abuse. The recommendations are: (1) repeal mandatory sentencing; (2) expand substance abuse treatment throughout the criminal justice system; (3) collaborate within the criminal justice system; (4) work with communities; (5) form partnerships between police and communities; and (6) hold public officials and criminal justice agencies accountable for results. Implementing these recommendations will work toward fixing the failings of the criminal justice system with regard to substance abuse. Resource organizations are listed for each recommendation. (Contains 48 references.) (SLD)

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# Fixing A Failing System

## National Policy Recommendations:

How the Criminal Justice System Should Work with Communities to Reduce Substance Abuse

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Report from a Join Together Policy Panel

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JOIN TOGETHER
A NATIONAL RESOURCE FOR COMMUNITIES FIGHTING SUBSTANCE ABUSE



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One of our nation's major substance abuse problems today stems from the criminal justice system's failure to address addiction effectively. This fact has long been identified in our surveys of community coalitions and is clear to Join Together's National Advisory Committee.

That's why Join Together convened a policy panel of criminal justice experts from several fields in the summer of 1995 to look at ways police, prosecutors, courts, and corrections agencies can work more effectively with communities to stop alcohol and drug abuse in our neighborhoods.

Over the past few months the panel has heard from people around the country—as well as from respondents to Join Together's national survey—about how criminal justice organizations are not consistently integrated into a community response to substance abuse.

After much work, the panel has proposed a series of recommendations to help these groups work together more effectively. Their recommendations are included in this report. On behalf of the National Advisory Committee, I thank panel chair Donald Fraser, former mayor of Minneapolis, and the other distinguished members of the panel for all their hard work. I also express admiration for their fine proposals, which, if implemented, should make a significant contribution to the attack on substance abuse at the national, state, and local levels.

This report is not a panacea. It is, however, a tool kit of six thoughtful recommendations which every legislator, criminal justice professional, and community advocate can use to fix what the panel has characterized as a failing system.

This panel's report now belongs to you. Put it to work in your community, in your organization, in your legislative committee. For many of you, the way to begin will be to hold your own policy panel, focusing on the specific issues that affect your city, town, or state. Others of you may already have a community strategic plan in place, and you can use this report to reinforce and energize that process.

We offer special thanks to The Robert Wood Johnson Foundation for its continuing support and efforts to help the nation's communities use local public policy change as a tool for reducing substance abuse. We are also grateful to the Johnson Institute Foundation of Minneapolis for their generous support of this panel. And finally, thanks to the National Alliance for Model State Drug Laws, for co-sponsoring a public forum at which the panel heard valuable and informed testimony from local, state, and national figures.

Calvin Hill

**Calvin Hill**
Chairman
Join Together National Advisory Committee

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February 1996

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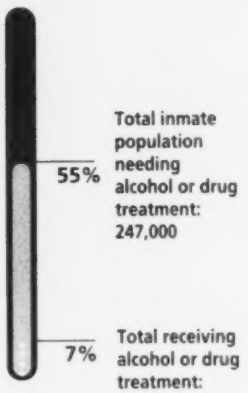
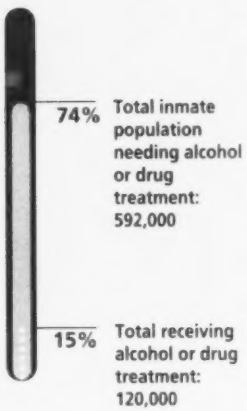
# The Fact Is . . .

Current adult jail population:
450,000 on any given day


55%
Total inmate population needing alcohol or drug treatment: 247,000
7%
Total receiving alcohol or drug treatment: 41,500

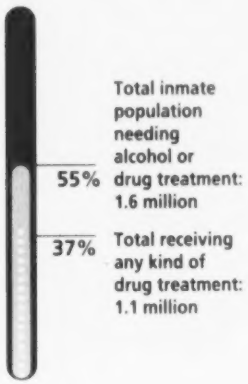
American Jail Association survey, 1989

Estimated adult state prison population:
800,000 on any given day


74%
Total inmate population needing alcohol or drug treatment: 592,000
15%
Total receiving alcohol or drug treatment: 120,000

1991 GAO report

Estimated number state probation/parole population:
2.9 million on any given day


55%
Total inmate population needing alcohol or drug treatment: 1.6 million
37%
Total receiving any kind of drug treatment: 1.1 million

Bureau of Justice Statistics Press Release 1995

**The number of incarcerated drug offenders has risen by 510% from 1983 to 1993.**

Marc Mauer, "Young Black Americans and the Criminal Justice System: Five Years Later," The Sentencing Project, 1995

**The number of drug arrests tripled during the 1980's – from 471,000 in 1980 to 1,247,000 in 1989.**

Source: Bureau of Justice Statistics, "Drugs and Crime Facts 1990"

**The total adult population on probation or parole needing alcohol or drug treatment is 1.6 million (55%).**

Source: Bureau of Justice Statistics Press Release 1995

**In August, 1995, the Bureau of Justice Assistance reported that drug courts, diverting nonviolent defendants from jail time to treatment, could lower the recidivism rate, increase successful treatment outcomes, and save tax payers $5,000 per defendant in jail costs alone.**

U.S. Department of Justice



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# Introduction

I was pleased to be asked to chair a panel that would focus on how the criminal justice system could better aid communities in overcoming alcohol and drug abuse. The panel members included a police commander, a district attorney, a probation and parole supervisor, a judge, a treatment program administrator, a defense attorney, a youth advocate, and an elected county legislator. All agreed on virtually every issue identified as an impediment to the workings of the criminal justice system.

The panel quickly agreed that the most pressing need for an effective criminal justice response to substance abuse is treatment—treatment before and after sentencing, treatment that continues after relapse, treatment appropriate to a wide range of adult nonviolent offenders, and treatment that supplements and strengthens responsible sanctions including incarceration as well as community-based, supervision by parole and probation professionals.

The panel met in the summer and fall of 1995 in Chicago, Minneapolis, and Kansas City, Missouri, where community advocates and experts from every facet of the criminal justice field presented valuable testimony. These witnesses emphasized the need for treatment and for criminal justice agencies to work together and with their communities to develop and implement strategic plans to meet the growing crisis of substance abuse.

This inquiry is timely because our failure to reduce alcohol and drug abuse leaves our communities facing an increasingly bleak future. And it is our children who are the victims of our failed responses.

I am pleased with this panel's report. No single panel or report will touch on every aspect of a problem as pervasive as this. Yet, we offer these six recommendations as a starting place for your community and your criminal justice organizations.

The key to these proposals, and to this entire report, is to start now. Our communities, and our children, will reap the benefits.

Don Fraser

**Donald Fraser**

Panel Chair

# Fixing a Failing System

## Time to Tell the Truth

The criminal justice system is failing us. We are caught in the midst of a substance abuse crisis that has overwhelmed our nation and left no community untouched. Yet the criminal justice system has not responded effectively. Instead, it confuses and misleads us with lies and half-truths. It insists that we need to lock up drug offenders and throw away the keys, but it neglects to tell us that those offenders will return to our streets, still using, still dealing. It pushes prison as a cure, when the truth is that merely locking someone up rarely ends addiction. It pretends to know what is best for substance abusers, even when it has no training in treatment. The time has come to stop the lies. The time has come to face facts and begin to build a criminal justice system that will be effective in reducing substance abuse.

**The truth is that merely locking someone up rarely ends addiction.**

The fact is, the criminal justice system is as much a part of us and our communities—and we of it—as is the drug dealer on the corner or the drunk driver on our street. And the elderly woman who calls to report the dealer in front of her apartment building is as much a part of the system as the police officer who comes to investigate.

Therefore, if there is to be any finger pointing, it must be at ourselves; if there is to be a solution, we must plant its roots. This is the real key to reducing substance abuse in our communities. We cannot leave the problem to the police alone. We cannot hope that judges will lock substance abuse away in a prison cell. We cannot wait for our lawmakers to legislate drugs out of our neighborhoods. All the different parts of the community must work together, cooperatively, toward a common solution. This includes the police, prosecutors, educators, religious leaders, business people, and homeowners. By pooling training, resources, and insight, we can reduce substance abuse and the problems it poses for our communities and for ourselves.

## The Policy Panel

In the summer of 1995, Join Together convened a national panel of experts to examine the role criminal justice can play in reducing substance abuse in our communities. Included were experts directly involved in criminal justice—a police commander, a prosecutor, a public defender, a federal judge, and a probation officer—as well as representatives of municipal government, substance abuse treatment, and community organizations.

The panel met several times to share experiences and insights. It also held a public hearing in October in Kansas City to hear testimony from representatives of criminal justice and substance abuse programs from across the United States.

Almost immediately in their deliberations, panel members reached agreement on several themes:

**Our focus is on low-level, nonviolent criminals like the drunk driver, the needle user, and the street-corner dealer—not on members of the cocaine cartel or organized crime.**

- The criminal justice "system" is no system at all. Its various players fail to collaborate with each other or with their communities. Instead, they often work at cross purposes, competing for resources and fighting over turf.
- Citizens have been shut out of their rightful roles in the criminal justice system, despite the fact that they are key players. If substance abuse can be reduced in the community, then citizens must demand of law enforcement, the judiciary, and other criminal justice entities a more formal structure for sharing problems and developing solutions.
- Programs for prevention and treatment of substance abuse are critically lacking at every level of the criminal justice system. Unless it can do much more to deter and treat substance abuse, the criminal justice system will never break the vicious cycle of drug and alcohol abuse and related crime.
- We are wasting enormous amounts of money and time because of misguided policies for addressing substance abuse. Rather than overwhelm the criminal justice system with the task of locking away low-level offenders in expensive jail cells, we should be concentrating resources on prevention and treatment, freeing the system to tackle high-level and violent crimes.

In keeping with these themes, and based on deliberations and input from the public hearing and other sources, the panel presents six recommendations for helping the criminal justice system respond more effectively to substance abuse in our communities.

## Scope of the Recommendations

### *Our Parameters*

To fully understand the purpose and scope of this report, it is important to note what this report is not. No single report can be the final answer to problems relating to substance abuse in our communities. Ours simply sets out what we believe are the best ways for the criminal justice system to begin to be more effective in helping to reduce substance abuse. Our proposals will not change the system overnight. There are no quick fixes, despite the contrary assertions of some politicians and public officials.

This report is not exhaustive in its examination of criminal justice. Our focus is on low-level, nonviolent crimes associated with substance abuse. Our recommendations of more effective treatment and less punitive sanctions are directed at the drunk driver, the needle user, and the street-corner dealer, not at members of the cocaine cartel or organized crime. We do not purport to address specialized segments of the criminal system.

Juvenile justice, for example, raises a host of issues that are beyond the scope of this report. Likewise, we recognize that substance abuse is merely one of many problems plaguing the criminal justice system. Those who work in the system are akin to doctors in a crowded emergency room, with each patient crying louder than the next for help.

Problems endemic to our society that are reflected in the criminal justice system likewise are beyond the scope of this report. We acknowledge that there often are dual standards of justice in our society: one for the rich, another for the poor; one for whites, another for minorities. The professional athlete who abuses drugs is unlikely to be locked away in prison; the junkie who rehabilitates himself is unlikely to be heralded for his courage. An October 1995 study by The Sentencing Project, for example, found that almost a third of all black men in their twenties are under the supervision of the criminal justice system, compared to fewer than seven percent of white men of the same age. We do not purport to offer a cure for social inequality.

We take it as a given that more money across the board, for public and private entities alike, would be a big step toward helping to reduce substance abuse. At the same time, we recognize that social-reform proposals based on demands for more money are too easily pushed to the side while policy makers battle over spending plans. So we steer clear of money talk, except to discuss in broad terms the allocation of existing resources. Nevertheless, it is worth noting that our proposals for cooperation, coordination, and training across agency lines would eliminate duplication of efforts, resulting in greater efficiencies and thereby reducing the overall cost of criminal justice—or at least freeing existing resources to be put to more constructive uses, such as training. Moreover, our call for greater community participation in criminal justice likewise can lead to savings. It is, after all, cheaper for a community to hold a barn raising than to call in a contractor.

Our assumptions in this report: First, we cannot emphasize enough that prevention is key. The best way to keep substance abuse out of the criminal justice system is to keep it from ever happening in the first place. Although the justice system can play an important role in prevention, it must begin much earlier—as a collaboration with families, in schools, and in our neighborhoods to build and maintain constructive community efforts. Similarly, treatment of substance abuse must be seen as an extension of prevention. The only way to keep a substance abuser who has gone to jail once from returning a second or third time is to treat the addiction, not ignore it and continue to use incarceration alone.

**The only way to keep a substance abuser who has gone to jail once from returning a second or third time is to treat the addiction, not ignore it and continue to use incarceration alone.**

Second, leadership is essential. The recommendations we make require strong dynamic leaders to make them take effect. Leadership cannot be legislated; its qualities cannot be written into a report such as this. Leaders must emerge from our neighborhoods, and throughout the criminal justice system to guide us to success.

## Six Recommendations

### Recommendation 1

**We must stop pushing low-level, nonviolent substance abusers through a revolving door of ineffective punishment. Sanctions and sentences for low-level, non-violent substance abusers must focus on treatment and rehabilitation as well as deterrence and separation. The system must serve to break the cycle of substance abuse, not merely interrupt it.**

*Specific Policies*

- Mandatory sentencing laws must be repealed. These include laws that impose minimum sentences for particular crimes and those that impose lifetime sentences after a set number of crimes.

- There should be truth in sentencing. By this we mean that sentences should reveal the actual time that an offender will serve.

**Delaware Sentencing Guidelines Help Non-Violent Offenders**

Sentencing guidelines in Delaware have helped keep the prison population from growing. These guidelines provide consistency and predictability in sentencing without resorting to mandatory minimum penalties, according to Judge Myron Steele.

The guidelines establish five accountability levels ranging from unsupervised probation to prison. Each judge completes a sentencing worksheet that includes an explanation if a sentence falls outside the guidelines. But Steele says that more that 90% of sentences are within the standards.

Delaware state Rep. Richard Davis says since the guideline were implemented in 1987, there has been a 64% increase in offenders incarcerated for violent offenses, while the number of people incarcerated for non-violent offenses has dropped by almost half. The prison population has not dropped, but the rate of growth in the prison population has decreased from an 11% growth in 1986 to a 2.3% decline in 1990.

Steele and Davis concur that the voluntary guidelines shortened sentences for some crimes, and the public has accepted the guidelines because they provide uniformity in sentencing. In addition, they have helped make room in prisons for violent offenders.

*(Excerpted from "Bringing Corrections Policy into the 1990s" by Donna Hubinette, State Legislative Report, an information service of the National Conference of State Legislatures.)*

- Judges and legislators must craft and impose sanctions and sentences that focus on curbing negative behavior rather than on processing those who run afoul of the law. This should include a greater emphasis on community-based alternatives to prison.

- Judges in all jurisdictions should use treatment for nonviolent, low-level offenders with substance abuse problems, not simply a jail sentence. However, at the discretion of the judge, "shock" intervals of incarceration, and the threat of incarceration, as part of a treatment-based sanction can be effectively deployed. Assessment and treatment must be required for everyone who comes into the system with a substance abuse problem.

- Drug courts should be established or expanded in order to allow judges to divert offenders to treatment and rehabilitation programs where appropriate. Drug courts route non-violent offenders who use drugs into a closely supervised, intensive treatment regimen. They use the expertise and jurisdiction of judges, probation officers, correctional and law enforcement personnel, prosecutors, defense counsel, drug testing, rehabilitation and treatment specialists, and community advocates to make defendants face the consequences of their substance abuse problems.

- There must be close supervision of drug offenders on probation or parole, not only to rehabilitate them, but also to reassure the community that neighborhood-based sanctions can work.

- Disparities in sentencing based on race or class must be eliminated.

**Treatment Gives Woman a New Lease on Life in Dade County, Florida**

The same streets that held despair for a 29-year-old woman in Dade County, Florida, have also turned out to be her salvation. The neighborhood where Mary White (not her real name) worked as a prostitute, sold drugs and slept on the streets also houses the substance abuse treatment program that has ultimately turned her life around. For 12 years, White had been in and out of jail for a variety of crimes, including forgery, drug possession, and aggravated assault. But this cycle finally ended two years ago when a judge, with the support of probation personnel, ordered White into treatment.

At first, White begged her probation officer to let her go to prison, saying jail was easier than enduring taunts from the old friends she was forced to walk by on her way to the treatment center. But despite these difficulties, White did not give up.

In fact, she successfully completed the program and has been able to stay free of drugs and meet her probation requirements for close to two years. Today, she attends community college and also works as a manager in a retail store.

White's success is largely due to the close cooperation of the court, her probation supervisor, and the treatment program, as well as her own determination to be drug-free.

For information about the State of Florida Corrections Community Supervision, contact: Richard Nimer, Florida Department of Corrections at (904) 487-2165.

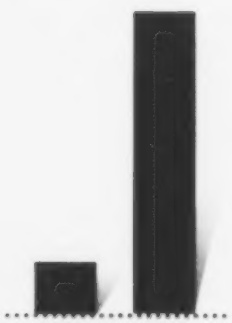
## *Rationale*

**The criminal justice system must go after the disease, not the symptoms.**

Penalizing substance abusers who commit crimes does not cure them. Locking them up does not keep them from committing other crimes when they are released. The criminal justice system is throwing away enormous amounts of money and tying up many of its resources with an utterly ineffective approach to substance abuse. The police, prosecutors, courts, corrections officials, and probation officers are consumed with the task of locking away low-level, nonviolent offenders, yet major criminals are being let off with a plea bargain.

This is all for naught. Prison is not treatment. It does not cure alcohol or drug dependency. The majority of offenders who go to prison will sooner or later be released back into the community, still addicted, still dealing. The criminal justice system must go after the disease, not the symptoms. It must emphasize treatment and prevention, not incarceration. It is time to stop wasting time and money filling prison cells with substance abusers.

Perhaps the system's greatest failing is its stubborn adherence to mandatory minimum sentences for drug offenders. Overwhelming evidence reveals that since mandatory sentences were introduced in 1974, all they have accomplished is to cripple the system under the sheer weight of drug cases. The statistics are staggering. Between 1980 and 1994, the number of people behind bars in the United States has tripled, to nearly 1.5 million. More than 5.1 million people, or 2.7 percent of the adult population, are under some form of court supervision. In 1993, 60 percent of federal prisoners were there for drug-related crimes, up from 25 percent a decade earlier. During a twelve-month period in 1993-1994, 35 percent of all convictions in federal court were for drug offenses, resulting in more than 17,000 defendants being sent to prison to serve an average sentence of seven years, nearly double the average sentence of a decade earlier. The same is true in state courts, where in 1992 alone, seven out of 10 persons convicted of drug offenses were incarcerated. From 1980 to 1993, the number of inmates in state prisons for drug convictions rose from




From 1980 to 1993, the number of inmates in state prisons for drug convictions rose from 19,000 to 186,000.

Bureau of Justice Statistics, National Judicial Reporting Program

### Drug Sentencing Laws in Massachusetts May Target the Wrong Suspects

Massachusetts drug-sentencing laws may be missing their mark. The laws, which require a mandatory-minimum sentence for offenders, are set up in such a way that they often punish street-level drug dealers and allow kingpins to go free. This is because under the current system, high-level dealers can bargain down their charges by forfeiting assets, thereby averting tough mandatory sentences. Low level dealers, however, have little to bargain with.

That's why a panel of Massachusetts legislators, appointed by the House Speaker, is reviewing current laws. Experts suggest that the state take a multi-pronged approach instead—by implementing sentencing guidelines, intermediate sanctions, enhanced probation services, and drug treatment programs.

For more information, contact Ann Walker of the Massachusetts Supreme Judicial Court at (617) 557-1157.

19,000 to 186,000. If the jail populations continue to grow at the current rate, by the year 2053 the United States will have more people in jail than out, according to a recent study by Camille Gear and David C. Lewis (*Locking Up the Drug Problem: Criminal and Legal Responses to Drug Addiction*, Center for Alcohol and Addiction Studies, Brown University, 1995).

This high rate of incarceration has not made our streets safer. The offenders being locked away under mandatory sentencing laws are not high-level drug dealers or violent criminals. In fact, nearly three-quarters of these prisoners committed nonviolent offenses, such as larceny or drug dealing. One-third of the federal defendants sentenced to mandatory minimums in 1992 had no prior criminal record. More than a quarter of the federal defendants receiving mandatory minimums were not even U.S. citizens; many were the "mules" who carry drugs across the border. This means that while the system's resources are being drained by the prosecution and incarceration of nonviolent offenders, violent crime is escalating and drug kingpins are going free. Ironically, both the offenders and their communities would be far better served by treatment than by incarceration, and at far less cost to taxpayers. One federal appellate judge recently estimated that unnecessary imprisonment of minor drug offenders is costing taxpayers nearly $359 million a year. This money would be better used in fighting high-level and violent crime.

**One federal appellate judge recently estimated that unnecessary imprisonment of minor drug offenders is costing taxpayers nearly $359 million a year.**

Another form of mandatory sentencing that is equally misguided is the "three strikes and you're out" laws, under which offenders are sent to prison for life after their third felony violation. Public perception of the effect of three-strikes laws is dramatically different from the reality. Many Americans believe these laws target frequent violent offenders. In fact, such laws often put away offenders who are less likely to commit more crime. Most criminal offenders are between the ages of 15 and 24. The older an offender grows, the less sense it makes to lock him or her in prison. Further, many repeat felons, although falling under the scope of these laws, actually committed rather minor, nonviolent offenses. Judges in such

**Only 8% of prison wardens surveyed believe that imposing longer sentences for drug users makes a major difference in reducing crime in their community or state.**

**Mandatory Minimum Sentencing Laws Prove Costly For States**

Many states have mandatory minimum sentencing laws today.

The laws—which are based on the "three strikes and you're out" campaign used in the 1993 Washington state elections—are also now pending in several other states.

Largely as a result of these laws, states spent approximately $5 billion in 1995 to build and operate prisons.

But no state spends more than California, which will increase its Dept. of Corrections costs by $75 million in 1996, and by nearly $1 billion by the year 2000. In fact, California now spends more on its corrections system than it does on its colleges and universities. This information comes from the BJS State Justice Sourcebook of Statistics, September 1992.

cases have no discretion to vary from the sentence imposed by law and often find themselves forced to lock someone away for life when he or she is not actually a threat to anyone.

And what of the long-term cost of warehousing people—sometimes for 60 years—under these laws? We tend to think of these laws as targeting the young and the violent. Yet even the young and the violent grow old and feeble. When we lock them away for life, we lock ourselves into the cost of caring for them for life. For the taxpayer, the burden of caring for these people will become staggering. As this population ages, we will be paying not merely for their incarceration, but also for their hospitalization and related medical costs. Whom are we helping by keeping aging, former offenders off the streets?

Finally, a rational sentencing policy must be one that is blind to race and class. The federal system, for example, doles out a much harsher penalty for possession of crack cocaine than for possession of powder cocaine. A person convicted of trafficking in five grams of crack with a maximum retail value of $750 will receive the same sentence as an offender charged with selling 500 grams of powder cocaine retailing for $50,000, according to a recent report by the U.S. Sentencing Commission. Yet the primary difference between crack and powder cocaine lies in who uses them. Powder cocaine can be found among even the wealthy, whereas crack is a drug of the streets.

## Recommendation 2

**Access to prevention and treatment of substance abuse must be an integral part of the criminal justice system. The entire system must aggressively and actively support community efforts at prevention. Every level of the system must incorporate and offer appropriate quality treatment as an alternative or, when appropriate, in addition to punitive sanctions.**

### *Specific Policies*

- Treatment must be required for every substance abuser who comes in contact with the criminal justice system.

- Treatment must be available at every step of the criminal justice process and must be provided in a coordinated and continuous manner. For this to happen, there must be cooperation among judges, prosecutors, parole and probation authorities, treatment providers, mental health providers, and human service agencies.

**Drug Court Links Addicts with Treatment Services in Rochester, New York**

Providing treatment—not jail—for non-violent offenders with substance abuse problems is key to reducing crime in Rochester, New York. This is the premise of the Drug Court Program there, which was started in January of 1995.

This program employs treatment providers and case managers. They provide an important link between program participants and community services, such as Rochester Mental Health, Family Service of Rochester, Strong Recovery, Catholic Family Center, and Daybreak ATF. Judges and other drug court staff work collaboratively with case managers to be sure offenders get the help they need.

In less than a year, this low-cost approach has been effective—of the 172 participants, only 12 have been rearrested. In all, 27 defendants have quit or been released from the drug court program and sent back to the traditional criminal justice system.

Judge John Schwartz, who implemented the program, has been able to raise private funds from local foundations and the Monroe County Bar Association to pay for the drug court. The New York State Commissioner of Criminal Justice Services suggests using the Rochester Drug Court as a model for drug court expansions throughout the state. "The current system, in my opinion, has failed clients (with substance abuse addictions)," said Drug Court Administrator Nadine Simpson, adding, "This innovative approach has given new opportunities for defendants."

For more information, call Simpson at (716) 428-2736 or write to her at the Drug Court, Hall of Justice, Room 1, Rochester, NY 14614.

**Although 62% of state prisoners admit to substance use or abuse, state prisons have facilities to treat only 18% of their populations. Similarly, federal prisons are able to treat only 14% of the 42% of federal prisoners who admit to abusing alcohol and/or drugs.**

- Treatment programs must be appropriately matched to the individual and the addiction, meeting the unique clinical needs of each individual.
- Courts in every jurisdiction must provide diversionary treatment programs and monitor offenders. Courts should allow for deferral of prosecution or sentencing during treatment.
- Criminal justice agencies must work as equal partners with prevention and treatment programs and with related educational and job-skills programs.
- Training of criminal justice professionals at every level of the system must include an introduction to the nature of substance abuse and the importance of prevention and treatment.
- Criminal justice agencies must be partners in evaluating and monitoring treatment referral programs. They should refer to programs that have experience in treating various classes of criminal offenders.

**Rehabilitating Offenders Is Goal of STEP in Little Rock, Arkansas**

Rehabilitation is just a step away for criminals with addictions in Little Rock, Arkansas. The Substance Abuse Treatment Education Program there, known as STEP, is a pre-trial diversionary court program that offers offenders treatment instead of jail. Trial judges preside over the STEP court and are responsible for setting diversionary programs—such as suspended sentences and referrals to social service and treatment professionals—to meet an offender's situation. The cost is $3,000 vs. $30,000 to house an inmate for a year.

In order to qualify for STEP, which has been operating for three years, offenders must commit to completing the whole program. There is no standard time that a person must stay in STEP—judges decide each case on an individual basis. Once someone successfully graduates, his or her criminal record is erased. However, those who fail the program or drop out are sent back to trial court to be sentenced for their crimes. Currently, about 300 clients are enrolled in STEP. Forty clients have graduated from the program after 15 months—with no recidivists.

"When someone has hit the bottom, wants out, wants help, and then has worked through the program to graduation, it's truly a revelation," said Judge Jack Holt, one of STEP's founders.

For more information, contact: Terrel Rose, project director, STEP, 715 W. Second St., Little Rock, AR 72201 or call (501) 374-7837.

**Wardens Want to Attack Crime At Its Roots**

More than nine out of ten wardens believe that "expanding the use of drug treatment in prison or in the community will make a major (39%) or moderate (52%) difference in reducing crime in their community."

This finding comes from a survey sponsored by the U.S. Senate Judiciary Committee's Subcommittee on the Constitution. A total of 157 wardens from eight states—who represented more than 60% of the prisons in these states—responded to the survey.

More than two-thirds (68%) of respondents said they support the sentencing policy that "to reduce drug-related crime, we must pay more attention to the underlying causes of crime by providing job opportunities and training, drug education, and treatment for everyone who needs it."

## *Rationale*

If we prevent substance abuse, we prevent related crimes. If we treat substance abusers who have committed crimes, we prevent recidivism. It is that simple.

Unfortunately, the criminal justice system does little in the way of prevention and treatment. It reasons that prevention is for families and schools and churches to worry about. Treatment, the system believes, is something it must offer only because society expects it; therefore, it is best farmed out to the lowest bidder. The system does not concern itself with quality of care, relapse, or rates of recidivism.

Statistics speak to the system's inability to provide treatment. Although 42 percent of federal and 62 percent of state prisoners admit to substance use or abuse, federal prisons have facilities to treat only 14 percent of their populations and state prisons are able to treat only 18 percent. Of all prisoners with moderate to severe substance abuse problems, the U.S. General Accounting Office estimates that fewer than 20 percent receive treatment. At the federal level, fewer than 1 percent do. Of the nearly 1.5 million people incarcerated in federal, state, and local prisons, only slightly more than 100,000 received treatment for substance abuse during 1994. Of all the money spent in the United States each year to reduce substance abuse, 78 percent goes to enforce laws, provide punishment, or to control drug trade, whereas only 22 percent is spent on prevention and treatment, according to the ONDCP 1995 Drug Control Strategy.

The sad irony is that if the system were to balance the emphasis of cutting demand with reducing supply, it would be far more effective in reducing substance abuse and related crime, at a far lower cost. Consider these facts:

- Treatment is by far the most cost-effective means to reduce drug use and related crime. Every dollar spent on treatment leads to a $7.46 reduction in crime-related spending and lost productivity, according to a study conducted by the RAND Corporation for the Office of National Drug Control Policy and the U.S. Army. A California study similarly found that every dollar spent on treatment saved taxpayers $7.

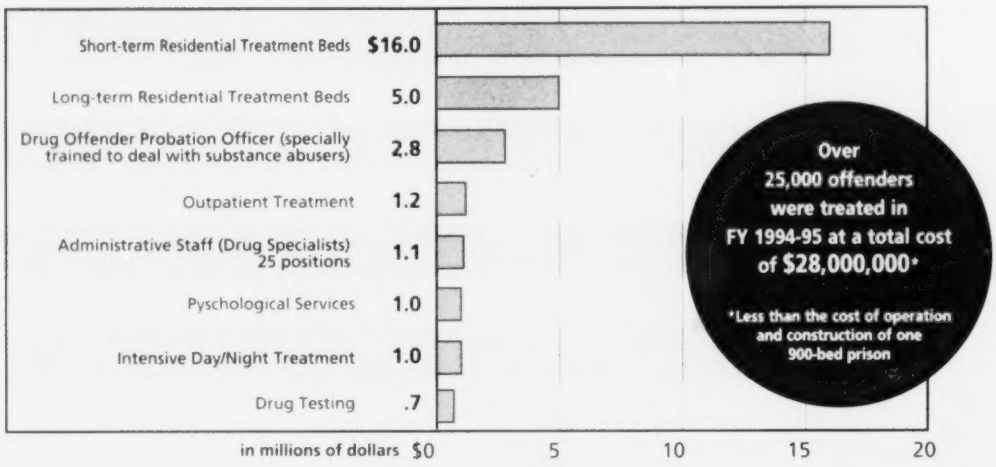
- Treatment is far cheaper than interdiction, enforcement, and prosecution. The RAND corporation estimates that a 1 percent reduction in annual drug consumption over the next 15 years would require spending $783 million for source-country control, $366 million for interdiction, $246 million for domestic enforcement, or $34 million for treatment.

Of all the money spent in the United States each year to reduce substance abuse, 78% goes to enforce laws, provide punishment or control drug trade. Only 22% is spent on prevention and treatment.

**In a follow-up study of treatment programs for incarcerated felony offenders, 79% of participants were employed upon release and only 35% were re-arrested. The re-arrest rate for all offenders nationally is 63%.**

*Source: SAMSHA*

**Florida Department of Corrections Probation and Parole Services Comprehensive Substance Abuse Program**


Short-term Residential Treatment Beds $16.0
Long-term Residential Treatment Beds 5.0
Drug Offender Probation Officer (specially trained to deal with substance abusers) 2.8
Outpatient Treatment 1.2
Administrative Staff (Drug Specialists) 25 positions 1.1
Pyschological Services 1.0
Intensive Day/Night Treatment 1.0
Drug Testing .7
in millions of dollars $0 5 10 15 20
Over 25,000 offenders were treated in FY 1994-95 at a total cost of $28,000,000*
*Less than the cost of operation and construction of one 900-bed prison

- Treatment and prevention have been proven effective in reducing drug use and drug-related crime. Government efforts to seize illicit drugs do little to reduce overall supply, the RAND study found, whereas treatment measurably cuts demand. Other studies support this:

  – California found that illegal activity dropped 43.3 percent after treatment. And the longer participants remained in treatment, the greater the reduction in criminal activity.

  – An Illinois study followed offenders who participated in an in-jail treatment program for 600 days after release. Offenders who received optimum exposure to the program, with aftercare in the community, committed significantly less crime than other offenders.

  – In Missouri, graduates of a court-supervised treatment program have a 50 percent lower recidivism rate than a comparable population without treatment.

  – In Maine, a survey of offenders who had undergone treatment found that after a year, 79 percent had no further arrests. In Texas, 80 percent of clients who completed treatment had no arrests after a year.

**"We are convinced that mandatory substance abuse treatment and rehabilitation programs will work, and that the courts have an unparalleled opportunity and obligation to use their authority to persuade appropriate defendants and civil litigants to enter treatment."**

**Paul J. Liacos, chief justice of the Massachusetts Supreme Judicial Court**

- Treatment and prevention are far less expensive than incarceration. The cost of incarcerating an adult for one year ranges across the country from $16,000 to $37,000, and averages $18,330. In contrast, residential substance abuse treatment costs an average of $14,600 a year and outpatient treatment costs an average of $2,300 a year.

The criminal justice system has the opportunity to play a critical role in prevention and treatment. It is not enough for the system merely to give lip service to this notion. Prevention and treatment must be made the focus at every step of the process, by every entity within the system.

The Center for Substance Abuse Treatment defines addiction as a chronic disorder. Addicts will inevitably suffer relapses. Courts, correction officials, and probation/parole authorities should coordinate services among themselves, as well as with substance abuse treatment services, health services, mental health services, and providers of educational and vocational training. Law enforcement officials and educators should work as equal partners. They should have programs to divert substance abusers into treatment programs. Judges should craft alternatives to incarceration that focus on treating substance abuse and reducing recidivism. Prison officials should take responsibility for ensuring the quality of the treatment provided within their walls. Probation officers should follow through in seeking and ensuring quality treatment including aftercare and follow-up.

**Drug Courts Steer Drug-Addicted Offenders To Treatment**

All across the country, drug courts—which route non-violent offenders with addictions into treatment—are helping break the cycle of crime and drugs and giving addicts a second chance.

These drug courts rely on the expertise and jurisdiction of judges, probation officers, correctional and law enforcement personnel, prosecutors, defense counsel, drug testing, rehabilitation and treatment specialists, and community advocates to make defendants face their substance abuse addictions and the consequences.

Today, there are more than 50 drug courts in existence throughout the nation, and at least that number in the planning stages. These courts not only help offenders with substance abuse problems overcome their addictions, but they are also very cost-effective.

It costs between $20,000 and $50,000 a year to incarcerate an offender. And the cost to build each prison cell is $80,000 to $90,000. Meanwhile, drug court systems average less than $2,000 annually for each offender. And preliminary data shows that recidivism has been significantly reduced for drug court program participants, while treatment success has increased.

For example, the Florida drug court consistently shows less recidivism than other courts in the same jurisdiction. And there are similar success stories in drug courts around the country.

## Recommendation 3

**Barriers must be broken among the various entities that make up the criminal justice system—no matter their role, no matter their level of government—so that they can cooperate with each other and with their communities to reduce substance abuse. "Cooperate" means to share resources, training, and insight while continuing to respect and observe each other's appropriate role in the system.**

### *Specific Policies*

- The federal government should restrict itself to its most appropriate role in drug cases: going after high-level drug dealers. It should leave local drug efforts to local governments and not use federal funds to micromanage. State governments should focus on setting appropriate standards for treatment, correction, and probation and parole.

- Citizens must aggressively direct public officials to develop a team approach to reducing substance abuse. Criminal justice agencies must be encouraged to work together to clearly define each other's appropriate role in helping to reduce substance abuse. Once the roles have been defined, each player must respect the responsibilities and limits of their authority and the authority of others.

- Criminal justice entities must include communities in the planning and implementation of strategies for reducing substance abuse on a system-wide basis.

**Community Partnerships Result from Conference in Norfolk, Virginia**

The City of Norfolk, Virginia, and the Federal Bureau of Investigation co-sponsored a Conference on Addressing Violent Crime Through Community Partnerships in 1992. The conference brought together Norfolk city officials, community activists, religious leaders, educators, and law enforcement officers to exchange ideas and produce recommendations to reduce crime. One result has been the creation of community partnerships to improve their neighborhoods through resident cooperation with city agencies. Contact: James Oliver, City Manager's Office, 1101 City Hall Building, Norfolk, VA 23501, or call (804) 664-4242.

- Training in issues related to substance abuse should be coordinated and conducted across agency lines. Everyone involved in the criminal justice system should be trained in the fundamentals of the nature, prevention, and treatment of addiction. Key training points include types of treatment, distinctions between different substances, rates and nature of treatment relapse, and effects of treatment on reducing criminal behavior. Entities and individuals with particular expertise must be encouraged to share their knowledge with others.

- There should be interdisciplinary training across agency lines, so that everyone in the system understands the breadth and limits of each other's responsibilities. The police, for example, might invite a treatment counselor to speak at a roll call. The treatment counselor might spend some time with a probation officer.

### *Rationale*

"The war on drugs" is a slogan often used by law enforcement agencies to describe their efforts to reduce substance abuse, but it sometimes seems that the only wars being fought are between those very agencies as they battle over turf. High-profile cases become political footballs, while the public stands on the sidelines waiting to see who emerges from the scrimmage: The U.S. attorney or the county prosecutor? The FBI or the DEA? State or local police? Meanwhile, low-level cases are pushed through the system like widgets on an assembly line before overburdened judges—pushed into crowded prisons or plea-bargained into nondescript treatment programs, sooner or later to return to the streets and begin the process all over again.

**Prosecutors and Community Form Partnerships in Two Communities**

Prosecutors work hand in hand with other community representatives in places like Brooklyn, New York, and Portland, Oregon. These partnership are part of a strategy that is called community prosecution and is often combined with other programs that have neighborhood partnerships—such as community-oriented policing, treatment, courts and intensive community supervision featuring probation and parole officers.

- In Brooklyn, the Kings County DA uses a zone prosecution program to stimulate community participation and to reinforce the cases prosecuted in that borough. The 23 police precincts are divided into five zones, with assistant prosecutors assigned to those zones. These prosecutors work with the police officials and community organizations in three zones, leading to improved enforcement and prosecution. The courts have helped this initiative by handling cases on a zone basis, increasing community responsiveness and awareness.

- In Portland, Oregon, the Multnomah County DA developed a community prosecution program for selected nonviolent crimes. The program involves local prosecutors meeting with neighborhood public safety committees, drug free zones created by city ordinances and enforced aggressively, drug-free public housing zones, where a community police officer enforces trespassing laws against non-tenants, and a community probation program which requires participants to serve out their probation and community service conditions in the community where they committed the crimes.

**A recent study conducted for the Massachusetts Supreme Judicial Court found that the lack of a comprehensive, coordinated approach to substance abuse among governmental entities is "the predominant barrier to success" in developing effective treatment programs.**

What we have come to think of as the "criminal justice system" is not really a system at all. There is no systematic planning, no systematic coordination, no systematic training. The "system" is ruled only by anarchy among its various entities. If criminal justice is ever to be effective in reducing substance abuse, this must change. Each entity must clearly define its role in reducing substance abuse. Federal, state, and local prosecutors, for example, all have appropriate parts to play. There are cases in which federal law enforcement agencies should become involved and others where they should not. Likewise, at each level of government, different entities and different branches must coordinate planning and implementation of substance abuse policy. Not everyone can be the quarterback. The sooner the players in criminal justice realize that, the sooner they will start functioning as a team.

A recent study conducted for the Massachusetts Supreme Judicial Court found that the lack of a comprehensive, coordinated approach to substance abuse among governmental entities is "the predominant barrier to success" in developing effective treatment programs. "Significantly absent from this landscape of services and administrative agencies is a set of integrated and coordinated policies, treatment philosophies, values, or other organizational dynamics that would maximize the efforts of individual probation officers, counselors, judges, and others who work directly with substance abuse offenders." The study called for the courts and others at the state and local levels to join together "to develop a consistent, coordinated approach to the disease of substance abuse."

**The criminal justice system must include the entire community in ensuring public safety—not merely those in traditional law enforcement roles, but also teachers, clergy, business people, neighborhood activists, homeowners, and tenants—anyone with a stake in the safety of their neighborhoods and the well-being of their neighbors.**

## Recommendation 4

### *Specific Policies*

- Citizens must be equal participants in the criminal justice system, helping to identify, prioritize, and solve local substance abuse problems.

- Criminal justice agencies must reach out to—and cooperate with—the public and private sectors, including schools, treatment programs, the faith community, the business community, prevention programs, and grassroots community organizations.

**Many Programs Reduce Drugs and Violence In New Haven, Connecticut**

Murder, robbery and assault are on the decline in New Haven, Connecticut. This is thanks to the efforts of police and residents, who have come together to rid the city of these problems with a variety of community programs.

For instance, police officers are encouraged to live in the neighborhoods where they work. Officers not only fight crime but also oversee housing rehabilitation and code enforcement, truancy in schools, and street paving.

Police officers are trained to help children who have witnessed a violent crime through the Child Development and Community Policing Program, which was developed by the Yale University Child Study Center and the city of New Haven. Officers refer child witnesses to a psychologist for help, since children who see violence often imitate it. The program attempts to break this cycle.

Another important program is New Haven Fighting Back, a citywide effort that creates partnerships between police, residents, schools, and health care and treatment providers. Police go into residential neighborhoods and schools to help solve local problems, such as truancy and juvenile crime. Local police stations also work hand-in-hand with residents by providing funding and special programs like adult education. New Haven's Needle Exchange Program was one of the first in the nation to be conducted in vans on the street. Drug addicts are given clean needles in an attempt to stop the spread of the AIDS virus. Clients are also referred to treatment.

These and other programs throughout the city are making it a healthier, safer place to live.

"[The system] is like a tree, and we're hanging more and more services off it. In the process, you're creating these models of neighborhood organization where people are getting engaged again," said New Haven Mayor John DeStefano.

For more information, contact Barbara Geller, Fighting Back, New Haven City Hall, 165 Church Street, New Haven, CT 06510 or call (203) 787-8445.

- Criminal justice agencies and community institutions should sponsor policy panels in their communities to focus public attention on this issue, and also develop options for planning and implementation.

- Partnerships between law enforcement and the community must be based on equality, not authority.

### *Rationale*

Public safety is a community effort. It starts with prevention, and prevention starts in the home, the school, the church, and the neighborhood. Reducing crime also requires reducing recidivism, and that, too, requires the cooperation of the community, so that those who have served their time can return to society to lead constructive lives.

Recovery may begin in treatment, but it is sustained in the community. Those entities that we think of as being "the system" are only parts of a true system. The police, the courts, corrections, and probation/parole cannot succeed in their respective missions without cooperation and support from each other and their communities. Unfortunately, these entities have tended to function as autonomous units, rather than as part of the community. The reasons for this vary. Sometimes they are simply so overwhelmed by their day-to-day tasks that they never take the time to reach out. Ironically, it is only by reaching out that those day-to-day tasks will ever be eased.

Criminal justice officials must become partners with community leaders in seeking to reduce substance abuse. The police, local courts, and probation/parole officials must coordinate planning and strategy with parent-teacher organizations, church leaders, tenants' groups, business owners, and other community groups. Other governmental entities must be involved as well. If a community needs better recreational facilities to help its teens stay away from drugs, local and state government should be available to facilitate such development.

**Residents Can Help Courts Be More Effective**

Community residents can work with judges, members of the bar association, district attorneys, and other criminal justice principals to change the way their courts do business.

In Franklin County, Massachusetts, a district court judge and an attorney received permission from the state supreme court to restructure their local courts to better meet changing local needs. Building on a report presented to the state supreme court, Judge Thomas Merrigan and Attorney Diane Esser convened a Reinventing Justice Futures Lab Task Force that featured citizens from every community in the county.

Following special town meetings and other forums in which substance abuse was established to be a concern for communities throughout the county, the task force presented an action plan which would ensure that defendants in the county's courts would be assessed for substance abuse treatment. The plan also called for a system that would ensure substance abuse services for family members of the defendant.

For more information, contact Franklin County's Reinventing Justice Office, 279 Main Street, Lower Level, Greenfield, MA 01301, or call (413) 772-8711.

*(This information comes from Moving to a Preferred Future, Reinventing Justice Action Plan.)*

**The police must work in partnership with their communities to develop long-range strategies for reducing substance abuse, as well as short-range alternative responses to substance abuse and drug-related crime.**

**Recommendation 5**

### *Specific Policies*

- The police must develop working partnerships with citizens so that they can jointly plan and implement strategies for reducing substance abuse.
- The police must develop working partnerships with related government services and agencies, such as probation/parole officers, code-enforcement inspectors, truancy officers, and social service providers.
- Police officers must be given training and the opportunity to work on long-term substance abuse strategies, particularly those that focus on young people.
- The police must be equal partners with other community institutions in a system-wide policy of increasing the diversion of drug offenders to treatment programs.
- Prevention, intervention, and follow-up, not just detention, should be routine police functions.

**Collaboration Reduces Gang Activity in Mountlake Terrace, Washington**

A school gym provides a safe place for rival gang members to meet and play sports in Mountlake Terrace, Washington. This is because in the evenings the school becomes a recreation center called the Neutral Zone.

The zone was created by the Mountlake Terrace Community Action Resource Team (CART), a community collaboration of public and private agencies and residents. Youth play sports and are served free pizza and soda on Friday and Saturday nights.

A uniformed police officer and a supervisor keep order among the youngsters, while a host of adult volunteers coordinate activities ranging from basketball, ping pong and pool to darts. Other on-duty officers are encouraged to stop by for pizza and to interact with participants. This interaction is often valuable: it helps police learn about tension between gangs and often leads them to solve burglaries and other local crimes.

In 1991, before the Neutral Zone was formed, there were 73 incidents of juvenile crime on a typical summer night. However, since the opening of the center, juvenile crime has decreased by 50 percent. In addition to making the community a safer place, the Neutral Zone has also sparked new trust and collaboration between police and residents.

For more information, contact: the Mountlake Terrace Police Department, 5906 232nd Street, SW, Mountlake Terrace, WA 98043, or call (206) 670-8260.

## *Rationale*

To many people in the community, the police are the public face of the criminal justice system. Their intimate relationships with people on the streets and in the neighborhoods uniquely situate them to act as a bridge linking the community and the justice system. Unfortunately, however, the police often are actually more of a barrier than a bridge. This is due not to a lack of concern for community, but to a preoccupation with crises. If the criminal justice system is a revolving door, the police are its harried doorkeepers, forever tossing offenders in one side only to see them come out the other.

In the long run, it would be more effective for the police to take the time to develop a scheme to reduce the flow of traffic through the door. To do this, the police will want to develop partnerships with the community to prevent and reduce substance abuse, and they must work with community leaders to develop alternatives to arrest and incarceration.

This notion has been taking shape in a number of "community policing" programs around the country. In some respects, community policing is a step back in time to when officers were familiar faces walking a beat. Their presence created a sense of safety and their familiarity allowed them to be trusted. In the most successful programs today, community policing is becoming much more, integrating not only crime enforcement but also code and safety enforcement and related social services. The best community policing programs strive to mold themselves to the needs and strengths of their particular neighborhood.

Such programs work. A community policing program in one of the worst crime districts of Kansas City, Mo., has reduced crime by 13 percent, compared to a 6 percent reduction citywide. In two neighborhoods where the police have gone a step further and established "community action networks," creating centers staffed by dedicated police officers, code inspectors, and community volunteers, crime is down 28 and 22 percent, respectively.

**New Policing Strategy Makes Neighborhoods Safer in Chicago**

Groups are banding together in neighborhoods throughout Chicago to make the city a safer place. Through a program called the Chicago Alternative Policing Strategy (CAPS), police, community groups, government agencies, and service providers work together to identify and solve crime and substance abuse problems.

CAPS officially began in 1993 in five of Chicago's 25 police districts. It has been so successful in controlling and preventing crime that it has since expanded citywide. As part of the program, officers receive training in how to devise problem-solving strategies and build community partnerships. The officers have consistent beats, which allows them to get to know residents and to become familiar with neighborhood problems. This ultimately helps the police to devise effective solutions to common problems—such as graffiti, broken street lights, and abandoned buildings—which lead to crime and disorder.

For more information, contact the Chicago Police Department, Research and Development Division, 1121 South State Street, Room 401, Chicago, IL 60605, or call (312) 747-6207. Web site is http://www.ci.chi.il.us/communitypolicing/.

**It is time to tell the truth. Citizens must stop allowing themselves to be deluded by sound bites, snappy slogans, and quick solutions. Public officials and criminal justice agencies must be held accountable for the truth about what works—and what does not—in reducing substance abuse.**

## Recommendation 6

### *Specific Policies*

- Criminal justice and citizen leaders should not wait for the media to take the initiative in reporting community efforts and successes in reducing substance abuse; they should aggressively seek out and educate editors, news directors, and reporters.
- Citizens must send the message to their politicians and public officials that they will no longer accept sound bites over substance.
- Criminal justice agencies must stop advertising cars, boats, and other property they confiscate using drug-seizure laws; this serves only to feed the naive notion of drug dealing as a glamorous, high-profit enterprise.
- The media must avoid sensation and stereotyping in their coverage of drug crimes. TV news, in particular, must avoid broadcasting images that perpetuate the false notion that the majority of drug criminals are young, violent, and often black.

**Pennsylvania District Attorneys Educate Legislators About Treatment**

All state district attorneys in Pennsylvania are behind an effort to educate the state legislature about the need for substance abuse treatment instead of jail for non-violent addicted offenders. This support has provided political cover for politicians who were afraid they would have looked soft on crime by favoring treatment options.

Public officials need to know that putting drug offenders into prison will not cure the addictions that got them there. In fact, addicts can still get drugs in jail. By providing treatment, however, the revolving cycle of drug use and crime can be stopped. However, it is important to note that some people with substance abuse problems may relapse following treatment and may need to undergo treatment again.

In Philadelphia, prosecutors have formed alliances with drug and alcohol treatment providers to illustrate the need for treatment for offenders. Philadelphia prosecutors have also vigorously lobbied for funding for such treatment programs.

For more information, contact: Gary Tennis, Office of the District Attorney, 1421 Arch St., Philadelphia, PA, 19102, (215) 686-5873.

## *Rationale*

Some public officials tell us what they think we want to hear. If they think we want mandatory minimum sentencing, then they will tell us what we need is mandatory minimum sentencing. Others are more sincere in looking for an attempt to reduce substance abuse. As criminal justice professionals and as community advocates, we can help all of these officials develop and promote genuine solutions and programs if we provide political support and cover. The legislator who can point to the testimony of an experienced district attorney or judge, or the mayor who can count on the support of a community coalition, is in a better position to promote treatment-oriented sentencing alternatives. Therefore, we must hold our officials to a higher standard, one in which popularity is not allowed to get in the way of truth.

The media must share the blame. It is far simpler to cover the sensational story than the complex one. A reporter on a short deadline can easily bang out a story about a drug arrest, but to write an in-depth examination of sentencing takes time and effort. Still, the media can be up to the task, as was seen in a September, 1995 four-part examination of drug sentencing in the *Boston Globe*. Those in the criminal justice system must help the media see the big picture; they must provide editors and reporters with a succinct analysis of the problems and substantive solutions in place of sound bites and photo opportunities. Officials must learn that it is more important to see their communities heal than to see themselves on the six o'clock news.

Both the media and politicians must be sure of their facts. An example of what can happen when they are not is the previously noted much harsher federal sentence for possession of crack than for possession of powder cocaine. The U.S. Sentencing Commission found that politicians scrambled to adopt the crack policy in the wake of the intense media coverage of the death of basketball star Len Bias from cocaine intoxication. Although it was widely speculated in the media that Bias had been using crack, it was learned a year later that he had in fact been snorting powder cocaine. By then, the crack laws were already in place.

**Judges Call for Revised Mandatory Sentencing Laws**

Members of the federal bench are among those who have called for a revision in the mandatory sentencing guidelines. Judges Jack Weinstein (Brooklyn) and Lyle Strom (Nebraska) are among the judges who have objected to the rigid sentencing structure. Weinstein refuses to try drug cases, and has said that our justice system is in crisis because of drug prosecutions.

Strom does try drug cases, and recently apologized to defendants when he was required by the appeals court to resentence them using the guidelines. He had initially handed down reduced sentences, because he said he felt the guidelines discriminated against blacks. "I am saying to you there is no justification to this sentence," he said.

A 1992 Federal Judicial Center survey of federal judges showed many opposed to retaining the current system of mandatory sentencing guidelines, and in favor of repealing most or all mandatory minimum sentences.

*This information comes from Planning for the Future: Results of a 1992 Federal Judicial Center Survey of United States Judges, published by the Federal Judicial System in 1994.*

# Conclusion

These six recommendations are offered to concerned citizens who are willing to face the facts. They know that mandatory minimum sentences do not work for low-level offenders with substance abuse problems. They also know that locking these offenders away does not cure their addictions. Building more prisons does not prevent crime. Arresting abusers reduces neither supply nor demand. And the three strikes laws do not rid our streets of drugs.

Those who are willing to look past the rhetoric know that what does work best is treatment. That's why it is crucial for the criminal justice system to link with community services to help offenders overcome their addictions. This breaks the cycle of drug use and crime. It will also make our streets safer.

If criminal justice officials—from the cop on the beat, to the prosecutor, to the judge on the bench, and the probation officer—work together and with their communities to find a range of alternatives, we will fix the failing system.

**Community Settings Key To Treating Offenders With Addictions**

**Thomas Coughlin, New York State Corrections Commissioner, recently told a New York Assembly Committee, "drug addiction affecting the street level addict can be far more successfully treated in community settings, instead of the prison environment. Treatment, not punishment, should be the first line of defense. Street addicts are coming to 100,000 prison cells that cost $27,000 a year to operate. . . to get the same drug treatment that could be available at $5,000 to $10,000 per person on the street. I am well aware that the public response to the prevalence of crime is 'lock 'em up and throw away the key.' It isn't enough to tell the public 'we can prove we're tough' on crime because we won't enact alternatives. I believe that common sense can prevail, if we only take the time to communicate to the general public calmly and clearly what is going on."**

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# Resources for Communities

**Here are two resources to assist communities in improving their criminal justice responses to substance abuse.**

## Byrne Grant Programs

Communities have an opportunity to influence and share in their state and local criminal justice agencies initiatives by participating in the funding process for the annual Edward Byrne Memorial State and Local Law Enforcement Assistance Program. This program, funded by the Department of Justice's Bureau of Justice Assistance, is the key source of federal funding devoted to fighting crime at the local level. Reducing the demand for drugs is one of the key uses of the funds from this program. The program also funds community oriented policing. For information on how you can participate in your state's Byrne Grant funding process, contact your local police executive, governor's office, or the Bureau of Justice Assistance, 633 Indiana Avenue, NW, Washington, D.C. 20531; (202) 514-6638 (formula grants to states) or (202) 514-5943 (discretionary grants to community-based organizations).

## Convene a Local Policy Panel

Policy panels are useful for generating public awareness of substance abuse problems among public officials and citizens. They can also encourage coordinated strategic planning. The following steps can help lead to a successful local policy panel:

1. Select key leaders in the community to serve on the panel. Ensure that they represent expertise as well as awareness of the community.

2. Outline the mission of your panel, so the members will know what is expected of them.

3. Hold a public hearing as part of the process of preparing final recommendations. Select informed and credible witnesses representing varying points of view.

4. Prepare a report to support the panel's recommendations. Include some resources and examples that readers can use to implement the recommendations in their communities.

5. Each of the above steps can be used to attract media attention to the issue. They are also opportunities to reinforce existing relationships and recruit new allies. Your media strategy might include editorial board meetings and talk radio interviews.

6. Once the report has been released, be alert for opportunities to promote the findings. The panel chair and members can be instrumental in making presentations to legislative committee hearings, conferences, etc.

**For more information, contact Bob Downing, Join Together, 441 Stuart St., Seventh Floor, Boston, MA 02116; (617) 437-1500.**

# Other Resources by Recommendation

## Recommendation 1

**National Alliance for Model State Drug Laws**
120 North Pitt
Alexandria, VA 22314
Phone: (703) 836-6100
Fax: (703) 836-7945
Contact: Sherry L. Green

The President's Commission on Model State Drug Laws was created by Congress to develop a uniform code of state drug laws. The National Alliance for Model State Drug Laws is a resource center dedicated to helping governors, state legislators and others create comprehensive, effective state substance abuse laws based on the Commission's findings, including: economic weapons against drug traffickers; community empowerment and coordinated state drug-planning mechanisms; treatment; drug-free schools, and drug-free families. Contact them for model statutes.

**American Association of Probation and Parole**
Council of State Governments
Ironworks Pike
P.O. Box 11910
Lexington, KY 40578
Phone: (606) 231-1939
Contact: Tim Mathews

The American Association of Probation and Parole provides technical assistance and information on probation and parole systems, and related court-ordered treatment programs. They can provide materials on community supervision.

**The Sentencing Project**
918 F Street, N.W. Suite 501
Washington, D.C. 20004
Phone: (202) 628-0871
Fax: (202) 628-1091
Contact: Marc Mauer

A national leader in the development of alternative sentencing programs and in reform of criminal justice policy. The Sentencing Project has provided technical assistance and helped to establish alternative sentencing programs in more than 20 states. It offers training for court officials, and help in analyzing and assessing court and corrections needs for offenders.

**Drug Strategies**
2445 M Street, N.W., Suite 480
Washington D.C. 20037
Phone: (202) 663-6946, or (202) 663-6090
Fax: (202) 663-6110
Contact: Carolyn Polk, Research Coordinator

Drug Strategies is a national organization whose mission is to find more effective approaches to the nation's drug problems. This organization has published many articles including "Intensive Treatment of Criminal Offenders Dramatically Cuts Recidivism."

## Recommendation 2

**Center for Substance Abuse Treatment (CSAT)**
Substance Abuse and Mental Health Services Administration
Criminal Justice Systems Branch
5600 Fishers Lane
Rockwall II Building
Rockville, MD 20857
Phone: (301) 443-6533
World Wide Web: http://www.samhsa.gov/csat.htm

CSAT collaborates with private and public treatment providers to develop and support policies, approaches and programs for individuals who abuse alcohol and other drugs. CSAT funds a range of projects for incarcerated and nonincarcerated juvenile and adult offenders, including the Correctional Populations Program, to improve treatment for state and regional correctional facilities.

**Therapeutic Communities of America**
1818 N St., NW
Suite 300
Washington, D.C. 20036
Phone: (202) 875-8636
Contact: Linda Wolf Jones

Therapeutic Communities of America regularly address the needs of "hard core" substance abusers, those with long drug using histories and criminal backgrounds, who lack education, vocational skills, and family support networks. TCs have grown from their residential program bases to include outpatient services, day treatment, crisis intervention, family therapy, case management, education, prevention, and relapse prevention.

**National Association of State Alcohol and Drug Abuse Directors**
(NASADAD)
444 North Capitol St., N.W., Suite 642
Washington, D.C. 20001
Phone: (202) 783-6868
Contact: Staff, Criminal Justice Committee

Membership organization for state substance abuse agency heads. NASADAD has information on successful state-sponsored alcohol and drug programs and an annual survey of state-by-state spending for substance abuse.

**Drug Court Resource Center**
The American University
Brandywine Building, Suite 660
440 Massachusetts Avenue, N.W.
Washington, D.C. 20016-8159
Phone: (202) 885-2875
Fax: (202) 885-2885
Contact: Caroline Cooper

The Drug Court Resource Center, with funding from the Bureau of Justice Assistance, offers technical support for drug court officials and information about drug courts to the public.

**National Judicial College**
University of Nevada, Reno
Reno, NV 89557
Phone: (702) 784-6747
Fax: (702) 784-4234
Contact: Kenneth A. Rohrs, Dean

The National Judicial College offers courses for judges, including several in which substance abuse is addressed. A new course, Drug Courts: A Judicial Response, has been added to the curriculum and discusses therapeutic jurisdiction and interdisciplinary approach to reducing and or preventing substance abuse.

**Substance Abuse Project**
The Massachusetts Supreme Judicial Court
1300 New Court House
Boston, MA 02108
Phone: (617) 557-1149

The Supreme Judicial Court established its Substance Abuse Project to develop and implement a coordinated substance abuse effort in the Massachusetts court system. The SJC recently published a document entitled "A Matter of Just Treatment: Substance Abuse and the Courts: Final Report of the Supreme Judicial Court Substance Abuse Project."

**National Association of Drug Court Professionals (NADCP)**
901 North Pitt Street
Alexandria, VA 22314
Phone: (703) 706-0560
Contact: Judge Jeffrey Tauber

The National Association of Drug Court Professionals was formed, under the auspices of Community Anti-Drug Coalitions of America, to promote and advocate for treatment-based drug courts. Judges, prosecutors, defense attorneys, treatment providers, educators, and other community leaders created this new national association. These individuals have been the catalyst for organizing drug courts in their communities to place drug offenders into treatment and rehabilitation programs as an alternative to incarceration. NADCP's Education and Training Institute provides regional seminars and workshops for drug court locations throughout the nation, technical assistance through nearby drug court practitioners, and a national education program.

**Justice Management Institute**
1301 Pennsylvania Street
Denver, CO 80203
Phone: (303) 831-7564
Contact: Barry Mahoney

The Justice Management Institute provides special expertise on court management issues (including court-ordered drug rehabilitation programs).

## Recommendation 3

**Drug Courts Program Office**
Office of Justice Programs (OJP)
U.S. Department of Justice
633 Indiana Avenue, N.W.
Washington, D.C. 20531
Phone: (202) 307-5933
Contact: Tim Murray

The Drug Courts Program Office, which is part of the Office of Justice Programs, oversees Drug Courts, a program to improve the disposition of substance abuse cases. Participating courts will implement enhanced risk and treatment needs assessments for defendants entering the court, and develop cross-system linkages between and among the criminal justice system, the public health sector, and substance abuse treatment agencies that are necessary for the court to divert offenders to treatment and to monitor their progress.

**National Center for State Courts (NCSC)**
1110 North Glebe Road, Suite 1090
Arlington, VA 22201
Phone: (703) 841-0200
World Wide Web http://www.acsp.uic.edu/ncja.htm
Contact: Maria Schimidt

The National Center for State Courts provides technical assistance and funding for a spectrum of court programs and services.

**National Drug Prosecution Center**
99 Canal Center Plaza, Suite 510
Alexandria, Virginia 22314
Phone: (703) 549-6790

The National Drug Prosecution Center is part of the American Prosecutors Research Institute (APRI), the nonprofit research, public education, and technical assistance affiliate of the National District Attorneys Association (NDAA). Its mission is to train prosecutors to investigate and prosecute drug cases more effectively, to identify and evaluate drug control and demand reduction strategies for prosecutors, to provide technical assistance to prosecutors in implementing task forces or anti-drug abuse programs, and to develop model legislation to update antiquated drug laws. NDPC publishes a bimonthly newsletter, *The Mainline*, which features innovative prosecutor-initiated programs or strategies, precedent-setting cases, and other drug-related news.

**National Consortium of TASC Programs**
8630 Fenton Street, Suite 121
Silver Spring, MD 20910
Phone: (301) 608-0595
Fax: (301) 608-0599

TASC, or Treatment Accountability for Safer Communities, is a program model that links legal sanctions with therapeutic interventions of drug treatment programs. TASC (formerly Treatment Alternatives to Street Crime) programs include identification of drug-involved offenders, treatment referral and placement, monitoring, case management, testing, status reports, and court appearances. These features are provided at any point in the criminal justice continuum.

## Recommendation 4

**Community Anti-Drug Coalitions of America (CADCA)**
901 North Pitt Street, Suite 300
Alexandria, VA 22314
Phone: (703) 706-0560
Fax: (703) 706-0565
Contact: James Copple

Membership and advocacy organization for local anti-drug coalitions, offering information and technical assistance for developing and implementing strategic plans and public policy initiatives. CADCA is affiliated with the National Association of Drug Court Professionals.

**National Crime Prevention Council**
1700 K Street, NW, 2nd Floor
Washington, D.C. 20006-3817
Phone: (202) 466-6272
Contact: John Calhoun

Provides assistance in community crime and drug abuse prevention, including educational materials, comprehensive listings of local crime prevention programs, demonstration programs for effective prevention strategies, and training and technical assistance to policy makers, practitioners, community groups, churches, schools, and youth groups. The National Crime Prevention Council's programs help people form coalitions and partnerships to prevent crime and build safer communities.

**American Bar Association**
1751 N St., NW, Suite 302
Washington, DC 20036
World Wide Web: http://www.abanet.org/

Through its various committees, the ABA provides information, research and technical assistance on various issues including substance abuse, crime and violence prevention, and children's needs. The American Bar Association Special Committee on the Drug Crisis provides technical assistance on Drug Courts and linkages to local Bar Associations and other community groups. The ABA Office of Justice Initiatives staffs committees supporting the "Justice for All—All for Justice" program that supports and encourages citizen and community group input in improving the criminal justice system.

**ABA Special Committee on the Drug Crisis**
1800 M Street, N.W.
Washington, D.C. 20036
Phone: (202) 331-2275

**ABA Ad Hoc Committee on State Justice Initiatives**
750 North Lake Shore Drive
Chicago, IL 60611
Phone: (312) 988-6121
Fax: (312) 988-6100

## Recommendation 5

**The Community Policing Consortium**
1726 M St., NW, Suite 801
Washington, D.C. 20036
Phone: (202) 833-3305

An initiative featuring five of the leading policing organizations in the U.S.: the International Association of Chiefs of Police; the National Organization of Black Law Enforcement Executives; the National Sheriffs' Association; the Police Executive Research Forum; and the Police Foundation. The Consortium is funded by the U.S. Dept. of Justice, Bureau of Justice Assistance, and provides information and assistance to community-oriented policing.

**Chiefs of Police National Drug Task Force**
1300 N Street, NW
Washington, D.C. 20005
Phone: (202) 638-7600

The Chiefs of Police National Drug Task Force provides education to help neighborhoods and communities overcome their drug problems. Activities and programs emphasize prevention, education, enforcement, and community involvement.

**The National Center for Community Policing**
School of Criminal Justice
Michigan State University
560 Baker Hall
East Lansing, MI 48824-1118
Phone: (800) 892-9051 or (517) 355-2322
Contact: Dr. David Carter

The National Center for Community Policing hosts training sessions and conferences on community policing, where police form a new partnership with neighborhood residents, so that together they can address contemporary problems of crime, violence, illicit drugs, social and physical disorder, and neighborhood decay. NCCP also provides on-site technical assistance to police departments, community groups, and civic officials, as well as information on field research and evaluation. The NCCP promotes the Neighborhood Network Center concept, which applies the lessons of Community Policing to the delivery of other public and nonprofit social services.

**U.S. Conference of Mayors**
1620 Eye Street, NW
Washington, D.C. 20006
Phone: (202) 293-7330
Contact: Laura Waxman

Facilitates cooperation between cities and the federal government on urban social and health issues, including substance abuse, by providing mayors and municipal agencies with educational information, technical assistance, and legislative services. An annual digest of successful municipal programs includes health and safety initiatives that feature prevention components. Publication: *National Institute of Justice, The United States Conference of Mayors, "On the Front Lines: Case Studies of Policing in America's Cities,"* September 1992. "The success of the 12 policing programs presented in this volume comes as encouraging news to mayors who are looking for fresh approaches that can be used by their police departments in dealing with crime."

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## Recommendation 6

### Campaign for an Effective Crime Policy
916 F St. NW, Suite 501
Washington, D.C. 20004
Phone: (202) 628-1903
Contact: Beth Carter

The nonpartisan Campaign for an Effective Crime Policy was launched in 1992 by criminal justice officials to encourage a less politicized, more informed debate about one of our nation's most difficult problems. The Campaign's "A Call for a Rational Debate on Crime and Punishment" has been endorsed by more than 1,100 criminal justice professionals and elected officials in all 50 states and the District of Columbia. The Campaign's recommendations and published briefing papers are available.

### Youth Crime Watch of America
9200 Dadeland Blvd., Suite 320
Miami, FL 33156
Phone: (305) 670-2409
Contact: Betty Ann Good

Youth Crime Watch of America trains students, teachers, school administrators, and other community leaders to develop youth-led crime prevention groups in schools and communities. The organization has a video and accompanying manual on Guns and Teens, and each year holds the National Youth Crime Prevention Conference.

### National Criminal Justice Association
444 North Capitol Street, NW, Suite 618
Washington, D.C. 20001
Phone: (202) 347-4900
Fax: (202) 508-3859
World Wide Web: http://www.acsp.uic.edu/ncja.htm
Contact: Gwen Holden

Represents states on crime control and public safety policy. Has conducted policy analyses on asset forfeiture laws, costs, and improvement of drug testing programs in criminal justice systems and programs to offer treatment for drug dependent offenders. Members include state officials and individuals working in criminal justice, education, social services, elected officials, and interested citizens.

### Minnesota Citizens Council on Crime and Justice
822 South Third Street, Suite 100
Minneapolis, MN 55415
Phone: (612) 340-5432
Contact: Richard Ericson

Research, advocacy, and public education organization. The Citizens Council has played a key role in helping Minnesota become a national model in the field of criminal justice. This role continues, augmented by direct services that assist over 15,000 people annually. The Council initially focused on programs to help released offenders become productive members of the community. It now serves the broad range of people affected by crime: victims, offenders, (young and old) and families of inmates.

## General

### Join Together Online
Chris Cartter
Join Together
441 Stuart Street, 7th Floor
Boston, MA 02116
Phone: (617) 437-1500
Fax: (617) 437-9394
E-mail: info@jointogether.org
World Wide Web: http://www.jointogether.org

For additional information about substance abuse, use Join Together Online, an electronic resource for communities fighting substance abuse.

### Office of National Drug Control Policy
Executive Office of The President
750 17th Street, NW
Washington, D.C. 20006
Phone: (202) 395-6700
Wide World Web: http://whitehouse.gov/White_House/eop/ondcp/html/ondcp.html

ONDCP coordinates federal, state, and local efforts to control illegal drug abuse and devises national strategies to effectively carry out anti-drug activities. It prepares the annual National Drug Control Strategy and companion budget document.

### Criminal Justice Research Institute
520 N. Delaware Avenue
Suite 304
Philadelphia, PA 19123
Phone: (215) 627-3766
Contact: John Goldcamp

Criminal Justice Research Institute provides evaluative services and operations review and consultations.

### National Conference of State Legislatures
1560 Broadway, Suite 700
Denver, CO 80202
Phone: (303) 830-2200
Fax: (303) 863-8003
World Wide Web: http://www.ncs.org/
Contact: Donna Lyons

Serves the legislatures and staffs of the nations 50 states, its commonwealths, and territories. The National Conference of State Legislatures offers status reports on state legislation and provides analyses of public safety and drug related issues.

### National League of Cities
1301 Pennsylvania Avenue, NW
Washington, D.C. 20004
Phone: (202) 626-3020
Contact: Janet Quist

Membership organization of local elected officials. The National League of Cities has created a NLC Innovations Award to study and honor outstanding local public safety initiatives with the National Institute of Justice. A Public Safety and Crime Prevention Policy Committee provides policy guidance.

## Federal Clearinghouses

**Federal Drugs, Alcohol and Crime Clearinghouse Network**
Phone: (800) 788-2800

The federal Drugs, Alcohol, and Crime Clearinghouse Network serves as a single point of entry for all federal alcohol and drug clearinghouses. Provides a wide array of information, resource material, and other services, such as: centralized source for the latest alcohol and other drug information and prevention and treatment materials; a comprehensive resource for information on drugs and crime.

**Drugs and Crime Data Center Clearinghouse**
Phone: (800) 666-3332
Phone: (800) 732-3277

This Clearinghouse distributes all U.S. Dept. of Justice, Office of Justice Programs publications and fact sheets. The Bureau of Justice Statistics (BJS) provides crime and criminal justice data, and publications. The clearinghouse responds to statistical requests by offering data base searches, statistics information packages, and referrals. Also provides information and reference referrals from the Office of Justice Programs, including the Office of Juvenile Justice and Delinquency Prevention, in the U.S. Department of Justice.

**Bureau of Justice Assistance Clearinghouse**
Phone: (800) 688-4252

The Bureau of Justice Assistance Clearinghouse provides materials from the Bureau of Justice Assistance.

**National Clearinghouse for Alcohol and Drug Information (NCADI)**
Phone: (800) 729-6686
E-mail: info@prevline.health.org

NCADI is the information service for the Center for Substance Abuse Prevention. Extensive resources are available including bibliographies, free computer searches, treatment referrals, alcohol and drug education materials, and prevention and education resources. NCADI also distributes NIAAA's *Alcohol Health and Research World*, *Prevention Pipeline*, and the *Special Report to the U.S. Congress on Alcohol and Health*.

**National Criminal Justice Reference Service**
Phone: (301) 738-8895
Email: look@NCJRS.aspen
World Wide Web: http://ncjrs.aspensys.com:81/ncjrshome.html

Furnishes research findings to professionals to improve the criminal justice system.

## Newsletters

**The Mainline**, published bimonthly by the National Drug Prosecution Center, 99 Canal Center Plaza, Suite 510, Alexandria, VA 22314, Kristin Erickson Lail, (703) 549-6790. This newsletter features innovative prosecutor-initiated programs or strategies, precedent- setting cases, and other drug-related news. Free.

**The Catalyst**, published by the Crime Prevention Coalition, National Crime Prevention Council, 1700 K Street, NW, Washington, D.C. 20006. This newsletter reports the latest news of the coalition and crime prevention efforts throughout the country.

**Home Front**, published by the U.S. Department of Housing and Urban Development, Drug-Free Neighborhoods Division, (1-800-245-2691). It provides information on grant announcements and the efforts of public housing associations and resident groups around the country to fight drugs and improve the quality of life at public and assisted housing.

**The Spirit of Recovery**, published by Project Recovery, NDRI, 11 Beach Street, New York, NY 10013, 212-966-8700. Project Recovery is sponsored by the Center for Substance Abuse Treatment's (CSAT) Criminal Justice Treatment Initiative. This project is a technical assistance contract to the National Development and Research Institutes, Inc. in support of CSAT's grantees who have demonstration projects in corrections-based treatment. The Recovery reports on the activities of the project and other states that have corrections-based treatment, available resources for treatment, Washington news, and other features.

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**Robert Ziemian**
Associate Judge, Dorchester District Court, Boston, MA

**Join Together National Leadership Fellows, 1992, 1993, 1994, 1995**

# ABOUT JOIN TOGETHER

**Join Together is a national resource center for communities fighting substance abuse and gun violence.**

**Join Together initiatives include:**

- Award-winning websites. Join Together Online (www.jointogether.org) connects people across the country electronically to share successful strategies and provides the latest information on substance abuse and gun violence prevention. The Quitnet (www.quitnet.org) gives smokers and tobacco control professionals access to interactive quitting tools, peer-to-peer support, news and information.

- Public policy panels to help communities identify and overcome policy barriers that hamper their ability to reduce substance abuse.

- A communications strategy to keep the issue of substance abuse on the national agenda, and to help local groups articulate the link between substance abuse and other social problems in their communities.

- Technical assistance to answer questions from community groups as they develop a comprehensive strategy to address substance abuse and gun violence.

- National surveys which describe and quantify the community movement against substance abuse.

- National Leadership Fellows Program to recognize outstanding community leaders and provide them with training opportunities to enhance their leadership skills and knowledge about substance abuse.

- National Program Office for Fighting Back, 14 communities which have comprehensive strategies to reduce substance abuse and the related harms.

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